

The Court having concluded that the petition should not be summarily dismissed pursuant to Rule 4 of the Rules governing Section 2254 cases in the United States District Courts, it is hereby

ORDERED that the respondent file an answer to the petition or other pleading in response thereto, along with the record on appeal, appellate briefs, and relevant trial and post-conviction records and transcripts, no later than September 12, 2008.

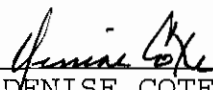
IT IS FURTHER ORDERED that the Clerk of Court serve copies of this Order and of the petition by certified mail upon the respondent and the Attorney General of the State of New York.

IT IS FURTHER ORDERED that petitioner shall have thirty days from the date on which he is served with respondent's answer to file a response. The petition will be considered fully submitted as of that date.

IT IS FURTHER ORDERED that this action is referred to Magistrate Judge Dolinger. All correspondence and requests should be sent to the attention of Judge Dolinger.

SO ORDERED:

Dated: New York, New York
July 9, 2008



DENISE COTE
United States District Judge

Copy sent to:

Michael Nash
Green Haven Correctional Facility
P.O. Box 4000
Stormville, NY 12582-0010